

CHARLES R. KOZAK, ESQ.  
Nevada State Bar #11179  
1225 Tarleton Way  
Reno, Nevada 89523  
(775) 622-0711  
kozak131@charter.net  
Attorney for the Plaintiffs

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

JESS C. ARNDELL and )  
SUZANNE K. ARNDELL, )  
 )  
Plaintiffs/Appellants, )  
 )  
vs. )  
 )  
ROBISON, BELAUSTEGUI, SHARP & LOW, a )  
Professional Corporation, KENT R. ROBISON, )  
THOMAS L. BELAUSTEGUI, F. DeARMOND )  
SHARP, KEEGAN G. LOW, MARK G. SIMONS, )  
And JOHN DOES I-V, )  
 )  
Defendants/Appellees. )

No. \_\_\_\_\_  
Dist. Ct. No. 3:11-cv-00469

**PLAINTIFFS' NOTICE OF  
APPEAL TO THE UNITED  
STATES COURT OF  
APPEALS FOR THE NINTH  
CIRCUIT**

Plaintiffs, JESS C. ARNDELL and SUZANNE K. ARNDELL ("Plaintiffs"), by and through their Counsel of Record, CHARLES R. KOZAK, ESQ., appeal to the United States Court of Appeals for the Ninth Circuit from the final judgment of the District Court, entered in this case on September 6, 2012, and all interlocutory orders that gave rise to that judgment, including but not limited to:

1. The District Court's September 6, 2012 Order dismissing Count One (legal malpractice) of Plaintiffs' Complaint with prejudice and dismissing Count Two (request for an accounting) and Plaintiffs' prayer for exemplary damages without

1 leave to amend; and

2  
3 2. The District Court's May 11, 2012 order granting in part and denying in part  
4 Defendants' Motion to Dismiss.

5  
6 Dated this 28<sup>th</sup> day of September, 2012.

7 /s/ Charles R. Kozak  
8 CHARLES R. KOZAK, ESQ.  
9 Nevada State Bar # 11179  
10 1225 Tarleton Way  
11 Reno, Nevada 89523  
12 (775) 622-0711  
13 [kozak131@charter.net](mailto:kozak131@charter.net)  
14 Attorney for the Plaintiffs/Appellants  
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**CERTIFICATE OF SERVICE**

I, SANDI DeSILVA, certify that on the 28<sup>th</sup> day of September, 2012, I caused to be delivered by :

\_\_\_\_\_ MESSENGER SERVICE

\_\_\_\_\_ FASCIMILE to the following number:\_\_\_\_\_

XXXX\_\_ U.S. MAIL

\_\_\_\_\_ CERTIFIED MAIL, RETURN RECEIPT REQUESTED

\_\_\_\_\_ FEDERAL EXPRESS or other overnight delivery

A true and correct copy of the within document: **PLAINTIFFS' NOTICE OF APPEAL TO THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT**, Case # \_\_\_\_\_, addressed as follows:

JOSEPH P. GAREN, ESQ.  
LIPSON, NEILSON, COLE, SELTZER & GARIN, P.C.  
9080 W. Post Road, Suite 100  
Las Vegas, Nevada 89148

**/s/ Sandi DeSilva**  
SANDI DeSILVA

XXXX - I hereby certify that on the 28<sup>th</sup> day of September, 2012, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF System which will send a Notice of Electronic filing to the above-named partie(s).